OIPE IAP97 MAR 06 2007 PATENT & TRADEMARK OFFICE

Docket No.: 058647-0170 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
Takahito KOUOU, et al.	:	Confirmation Number: 3399
Application No.: 10/684,680	:	Group Art Unit: 3736
Filed: October 15, 2003	:	Examiner: HOEKSTRA, Jeffrey Gerben
For: MUSCLE MEASURING DEVICE	:	

RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following remarks are submitted in response to the non-final Office Action dated December 20, 2006 having a three-month shortened statutory period for response set to expire March 20, 2007.

Claims 2-8 are pending in the application. Claims 2 and 3 have been amended.

Claims 1-4 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,185,451 (Richardson). Claims 5-8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Richardson et al. in view of U.S. Patent No. 4,688,581 (Moss). These rejections are respectfully traversed. Applicants hereby request reconsideration and allowance of the claims in view of the following arguments.

Regarding the anticipation rejection of claim 1, this rejection is moot, since claim 1 has been cancelled.